

IN RE: PETITION FOR ADMIN. VARIANCE
NE/Corner Slater Avenue and Hallfield
Manor Drive
(4330 Slater Avenue)
11th Election District
6th Councilmanic District

Scott Regner, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-355-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Scott and Robin Regner. The Petitioners seek relief from Section 301.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side street setback of 15 feet in lieu of the required 18.75 feet for an open projection (screened porch and attached open deck). The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

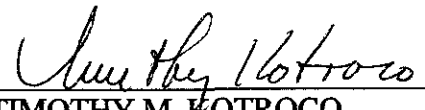
ORDER RECEIVED FOR FILING

Date 4/17/99

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 7th day of April, 1999 that the Petition for Administrative Variance seeking relief from Section 301.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side street setback of 15 feet in lieu of the required 18.75 feet for an open projection (screened porch and attached open deck), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 4/12/99
TW [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

April 7, 1999

Mr. & Mrs. Scott Regner
4330 Slater Avenue
Baltimore, Maryland 21236

RE: PETITION FOR ADMINISTRATIVE VARIANCE
NE/Corner Slater Avenue and Hallfield Manor Drive
(4330 Slater Avenue)
11th Election District – 6th Councilmanic District
Scott Regner, et ux - Petitioners
Case No. 99-355-A

Dear Mr. & Mrs. Regner:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel; Case File





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 4330 Slater Avenue, Balto., MD 21236
which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 301-A. TO PERMIT A SIDE

Street Setback of 15 Ft. in Lieu of 18.75 ft. for an Open
Prosecco (Screened Porch & Open Deck).

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

n/a
Name - Type or Print
Signature
Address Telephone No.
City State Zip Code

Attorney For Petitioner:

n/a
Name - Type or Print
Signature

Company
Address Telephone No.
City State Zip Code

Legal Owner(s):

Robin Regner
Name - Type or Print
Signature
Scott Regner
Name - Type or Print
Signature
(W) (410) 313-2395
4330 Slater Avenue (H) (410) 256-8991
Address Telephone No.
Baltimore, MD 21236
City State Zip Code

Representative to be Contacted:

Robin Regner
Name
(410) 313-2395 (W)
Address Telephone No.
City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 12 day of March, 1999, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 99-355-A

Reviewed By SOA Date 3-12-99

Estimated Posting Date 3-21-99

Date 3/15/99

ORDER RECEIVED FOR FILING
4/12/99

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 4330 Slater Avenue
Address
Baltimore, Maryland 21236
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

I wish to add a 12' x 18' screen porch on the side of my dwelling extending 12 feet from my house. Because the lot is a corner lot, I have a 25' front and 25' side building setback giving my lot a narrow building envelope. Other lots in the neighborhood do not have a 25' side setback, thereby allowing them to build on the side of their dwellings, causing me an undue hardship. The building setback of 25' comes within 2' of my dwelling. I am permitted to build a screen porch 25% into the setback for 6.25' plus the 2' totaling 8.25', therefore I need a variance of 3.75'. I cannot build onto the back of the house as I already have an addition and a deck with a non-movable hot tub located on the deck. I wish to build off the side of my house as this porch is intended to be an extension of the kitchen during warmer months.

Across the front of the house will be an open porch extending 8 feet from the house for which a variance to the front setback is not necessary. However, I may also need variance approval for this open porch which will extend to the end of the screen porch into the side setback (approximate size of open porch 8' x 22').

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Robin Regner
Signature
Robin Regner
Name - Type or Print

Scott Regner
Signature
Scott Regner
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12 day of March, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Robin Regner and Scott Regner

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

March 12, 1999
Date

Ann H. Ryder
Notary Public

My Commission Expires September 1, 2002

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 4330 Slater Avenue
Address
Baltimore, Maryland 21236
City State Zip Code

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Across the front of the house will be an open porch extending 8 feet from the house for which a variance to the front setback is not necessary. However, I may also need variance approval for this open porch which will extend to the end of the screen porch into the side setback (approximate size of open porch 8' x 22').

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Robin Regner
Signature
Robin Regner
Name - Type or Print

Scott Regner
Signature
Scott Regner
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12 day of March, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Robin Regner and Scott Regner

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

March 12, 1999
Date

Ann H. Ryder
Notary Public

My Commission Expires September 1, 2002



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4330 Slater Avenue, Balto., MD 21236
which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 301.9. To Permit A Side

Street Setback of 15 Ft. in lieu of 18.75 Ft. for an open
Projection (Screened Porch & Open Deck.)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

n/a
Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

n/a
Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Robin Regner
Name - Type or Print

Robin Regner
Signature

Scott Regner
Name - Type or Print

Scott Regner
Signature (W) (410) 313-2395

4330 Slater Avenue (H) (410) 256-8991

Address Telephone No.

Baltimore, MD 21236

City State Zip Code

Representative to be Contacted:

Robin Regner
Name

(410) 313-2395 (W)
Address Telephone No.

City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 99-555-A

Reviewed By STH Date 3-12-99

REV 9/15/98

Estimated Posting Date 3-21-99

ZONING DESCRIPTION FOR 4330 SLATER AVENUE

Located on the northeast corner of Slater Avenue and Hallfield Manor Drive. Being Lot #28, Block C, in the subdivision of Hallfield Manor, Section One, as recorded in Baltimore County Plat Book 35, Folio 83, containing approximately .17 acres. Also known as 4330 Slater Avenue and located in the 11 Election District, 6 Councilmanic District.

BALTIMORE COUNTY, MARYLA
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **062330**

DATE 3-12-99 ACCOUNT R. COL 6150.
AMOUNT \$ 50.00

RECEIVED FROM: ROBERT SCOTT RICHARDS
RES UAW (NORTH) 50
FOR: TEAL SC

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

355

PAID RECEIPT
ADDRESS ACTUAL TIME
412-1900 3/12/1999 10:21 AM
RES UAW CASHIER PINK NEW JAMES
5 WILLOWDALE DR BALTIMORE
BALTIMORE, MD 21201
CASHIER 062330

Baltimore County, Maryland

99-355-A

CASHIER'S VALIDATION

99-355-A

CERTIFICATE OF POSTING

RE: CASE # 99-355-A

PETITIONER/DEVELOPER:

{Robin & Scott Regner

DATE OF Closing

{APR. 5, 1999}

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property located at
4330 Slater Ave. Baltimore, Maryland 21236 _____

The sign(s) were posted on _____ 3-19-99 _____
[Month, Day, Year]

Sincerely,


[Signature of Sign Poster & Date]

_____ Thomas P. Ogle, Sr. _____

_____ 325 Nicholson Road _____

_____ Baltimore, Maryland 21221 _____

_____ (410)-687-8405 _____
[Telephone Number]

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 99- 355 -A Address 4330 SLATER AVE
 Contact Person: JOHN R. ALEXANDER Phone Number: 410-887-3391
Planner, Please Print Your Name
 Filing Date: 3-12-99 Posting Date: 3-21-99 Closing Date: 4-5-99

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

- POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
- DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
- ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
- POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

 (Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 99- 355 -A Address 4330 SLATER AVE
 Petitioner's Name ROBIN & SCOTT KEEPER Telephone 410-
 Posting Date: 3-21-99 Closing Date: 4-5-99
 Wording for Sign: To Permit AN OPEN PROTECTION (SCREEN PORCH)
TO BE 15 FT. IN LENGTH OF THE REQUIRED 18.75 FT. FROM
SIDE STREET PROPERTY LINE.

99-355-A



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

April 6, 1999

Mr. and Mrs. Robin Regner
4330 Slater Avenue
Baltimore, MD 21236

RE: Case No.: 99-355-A
Petitioner: Regner
Location: 4330 Slater Avenue

Dear Mr. and Mrs. Regner:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on March 12, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in cursive script, reading "W. Carl Richards, Jr.", followed by a stylized flourish.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development Management

DATE: 3/30/99

FROM: R. Bruce Seeley, Project Manager
Development Coordination
DEPRM

SUBJECT: Zoning Advisory Committee

Distribution Meeting Date: 3/22/99

The Department of Environmental Protection and Resource Management has
no comments for the following Zoning Advisory Committee Items:

Item #'s:

346

348

349

350

351

355

A.V.
4/6

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: March 25, 1999

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):
Item No (s): 355

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief: Jeffrey W. Long

AFK/JL



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 3-24-99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 355


JRA

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

10 
Michael M. Lenhart, Acting Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

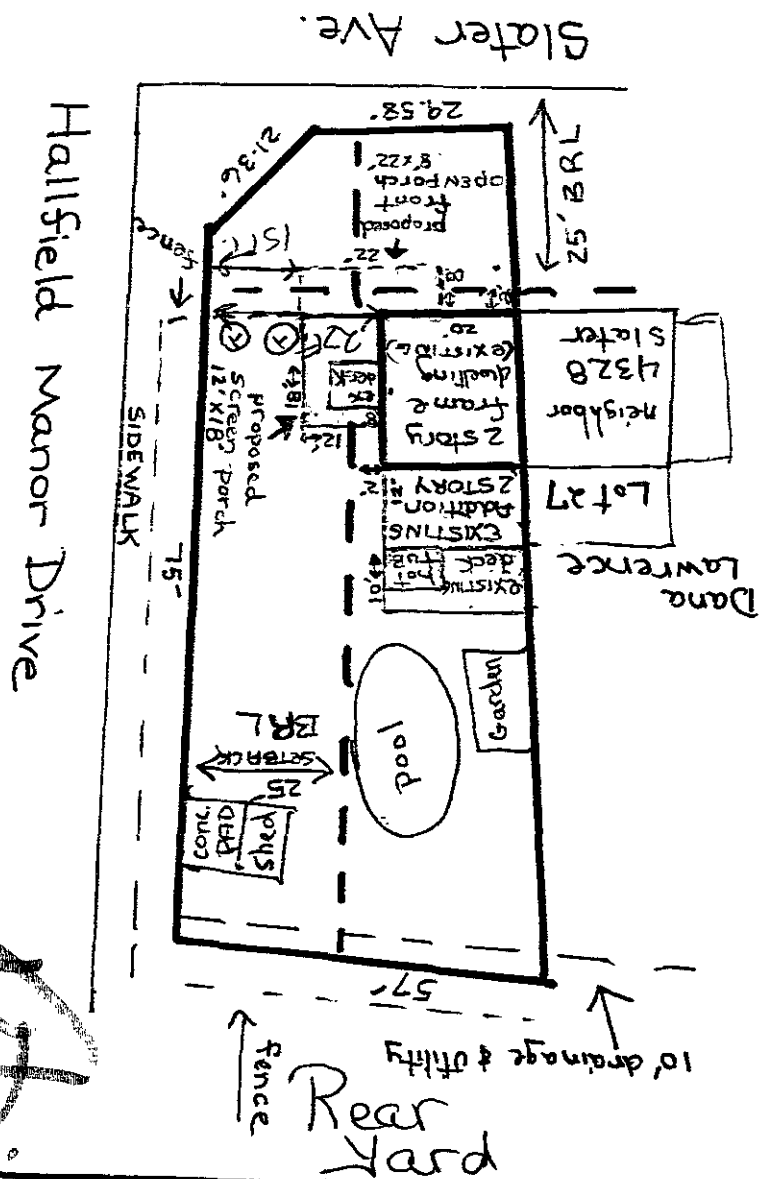
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Haltfield Manor, Section One

plat book # 35, folio # 83, fol # 28, section # Block C

OWNER: ROBIN + SCOTT REGNER



Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Election District: 11
Councilmanic District: 6

1"=200' scale map#: NE 9-G

Zoning: DR 5.5

Lot size: • 17 T

acreage square feet

SEWER: ☒ public ☐ private

WATER: ☒ ☐

al Area: ☐ ☒

Chesapeake Bay Critical Area:
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

ITEM #: CASE#:

10101070

11 PM

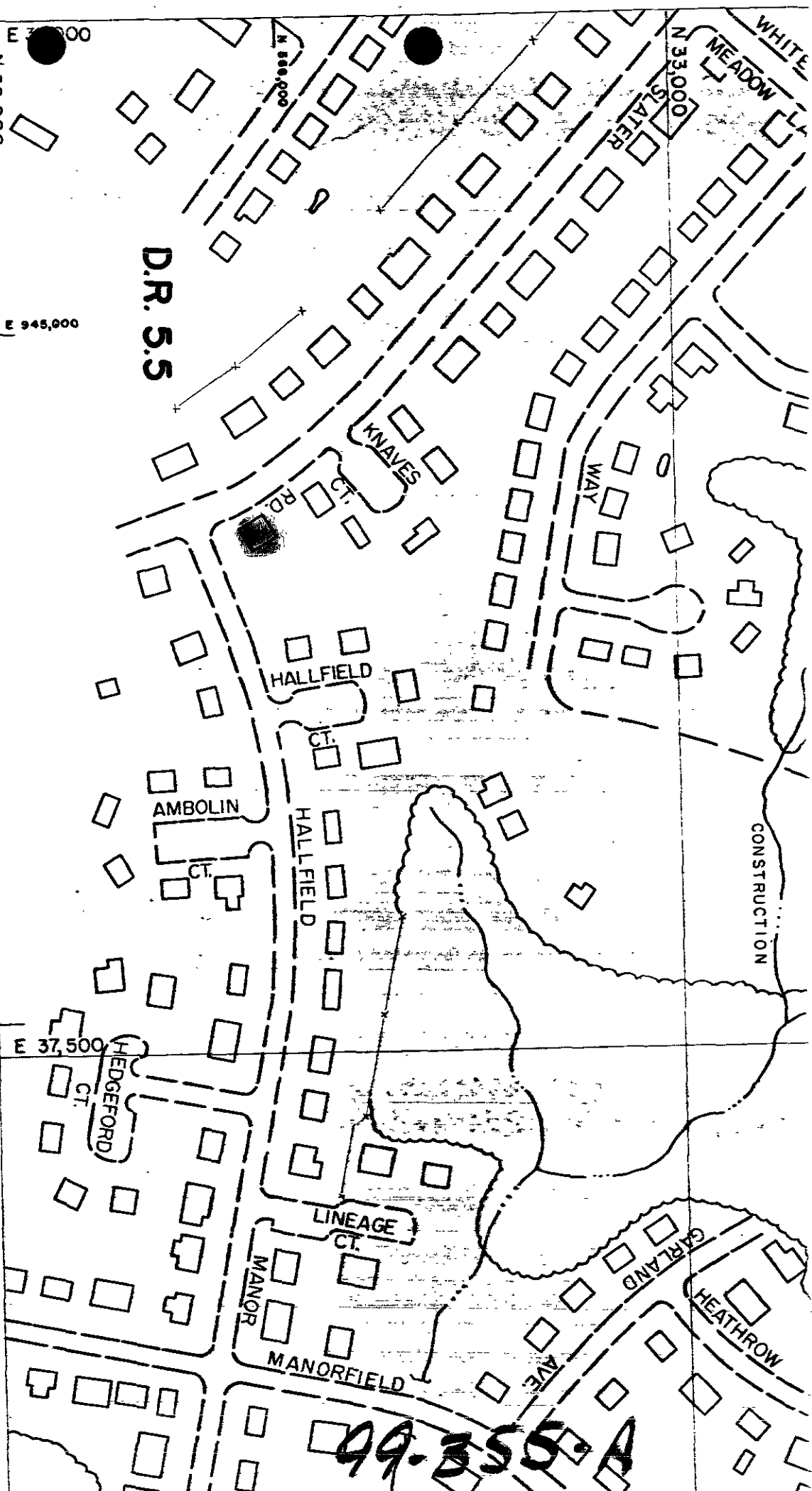
CASE#:

507

WS

89-355-7

99.355.A



M - NW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

1996 COMPREHENSIVE ZONING MAP

ADOPTED by

THE BALTIMORE COUNTY COUNCIL

OCTOBER 8, 1996

Bills Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96

Chairman, County Council

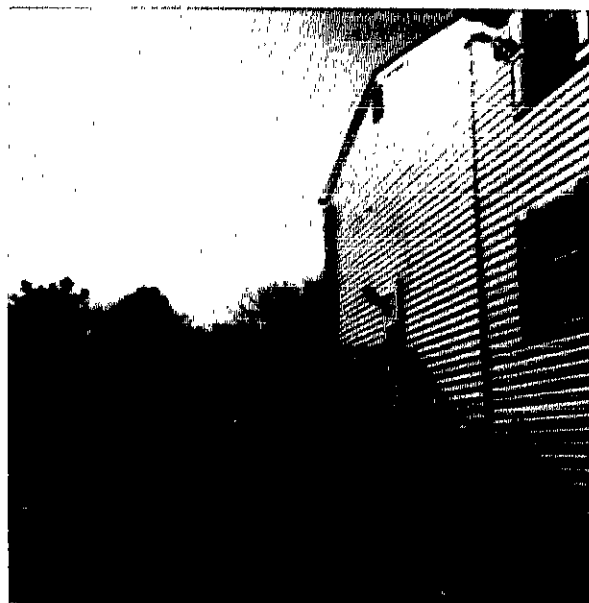
Kevin Kamenev

NE-9.9

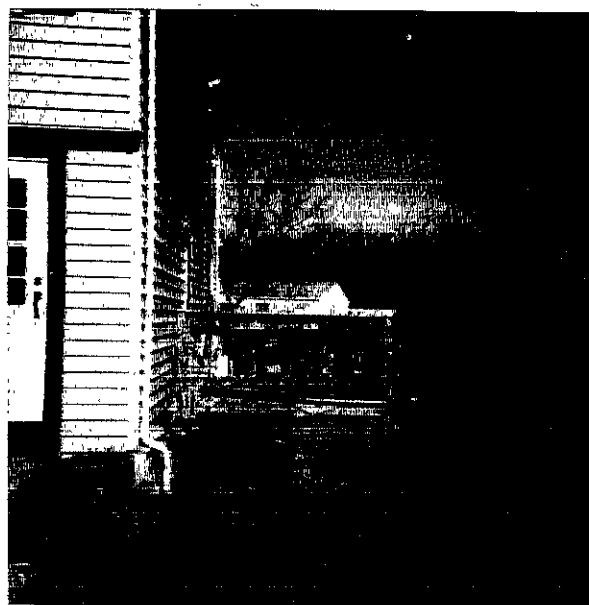
99-355-A



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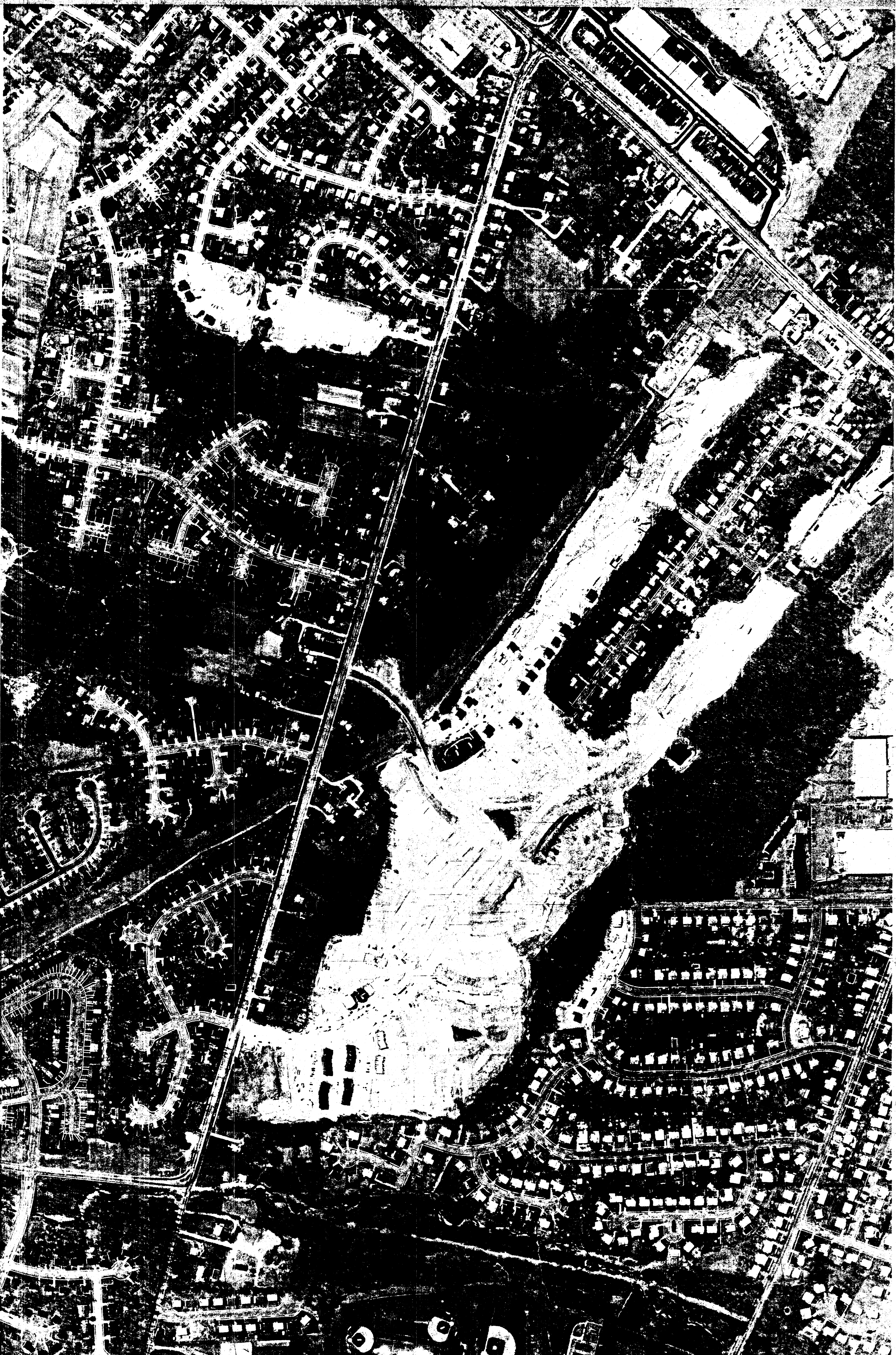


99-355-A



99-355-A

99.355-A



99.355-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200'	PERRY HALL	N.E. 9-6
DATE OF PHOTOGRAPHY JANUARY 1986		

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

99.355-A